

AMENDMENTS TO THE DRAWINGS

Applicant submits herewith one sheet of formal replacement drawings for Figure 6.

Attachment: 1 Replacement Sheet

REMARKS

Claims 1-7 have been examined. Claims 1-3, 6 and 7 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 4 and 5 contain allowable subject matter.

I. Preliminary Matter

The Examiner has objected to Figure 6 as not being labeled “prior art.” Accordingly, Applicant submits herewith a formal replacement drawing for Figure 6.

II. Rejections under 35 U.S.C. § 103(a) in view of JP 07-251608 to Matsumoto (“Matsumoto”) and U.S. Patent No. 5,355,922 to Kogure et al. (“Kogure”)

The Examiner has rejected claims 1-3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Matsumoto and Kogure.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites, “wherein the width of the thin rib-shaped uneven abrasion sacrificing part is in a range of from 2 to 10% of the width of the tread, and wherein the width of the thin rib-shaped uneven abrasion sacrificing part is narrower than a width of adjoining ribs.” (Fig. 1)

The Examiner alleges that major grooves 9b and 9c of Matsumoto form a single main groove with a rib-shaped uneven abrasion sacrificing part therebetween (i.e., the rib between the two grooves; Figs. 1 and 2). The rib between the grooves 9b and 9c is provided with horizontal sipes 19 that are stepped a distance L from the surface of the tread (Fig. 1).

Applicant traverses the Examiner's assertion. For example, if the width of the thin rib-shaped uneven abrasion sacrificing part is *wider* than that of the adjoining ribs, as shown in Figures 1-5 of Matsumoto, the thin rib-shaped uneven abrasion sacrificing part will not act as an uneven abrasion sacrificing part because the grounding pressure to the thin rib-shaped uneven abrasion sacrificing part increases. In the claimed invention, it is important that the width of the thin rib-shaped uneven abrasion sacrificing part is *narrower* than that of the adjoining ribs and that the thin rib-shaped uneven abrasion sacrificing part is in a range of from 2 to 10% of the width of the tread, as recited in claim 1, to achieve the desired action of the thin rib-shaped uneven abrasion sacrificing part (see pg. 6, lines 13-19 of present Application).

Furthermore, Applicant notes that in general, the wider the width of the thin rib-shaped uneven abrasion sacrificing part, the narrower the ribs. As a result, the effective abrasion volume (width x circumferential length x depth from tread surface to groove bottom for ribs) becomes smaller and thus deteriorates the wear resistance performance.

Claim 1 also recites, "when the step of the thin rib-shaped uneven abrasion sacrificing part formed in the clearance thereof from the surface of the tread is indicated by d , and a depth of the center circumferential main groove is indicated by D , the relationship expressed by the formula $0.7D \leq (D-d) \leq D-3$ mm is satisfied."

At this time, since neither Matsumoto nor Kogure disclose the claimed thin rib-shaped uneven abrasion sacrificing part of claim 1, Applicant submits that the references likewise fail to teach or suggest the claimed relationship.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 2 and 3

Applicant submits that claim 3 is patentable at least by virtue of its dependency. Also, since the features of claim 2 have been incorporated into claim 1, Applicant has canceled claim 2 without prejudice or disclaimer.

III. Rejections under 35 U.S.C. § 103(a) in view of Matsumoto, Kogure and U.S. Patent No. 2,272,879 to Hargraves (“Hargraves”)

The Examiner has rejected claims 6 and 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Matsumoto, Kogure and Hargraves. Since claims 6 and 7 are dependent upon claim 1, and Hargraves fails to cure the deficient teachings of Matsumoto and Kogure, at least in regard to claim 1, Applicant submits that claims 6 and 7 are patentable at least by virtue of their dependency.

IV. Allowable Subject Matter

As set forth above, the Examiner has indicated that claims 4 and 5 contain allowable subject matter.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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